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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,640	08/03/2001	Steve Mead	12440-02/ejg	6057

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EXAMINER

HORTON, YVONNE MICHELE

ART UNIT PAPER NUMBER

3635

DATE MAILED: 11/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/920,640

Applicant(s)

Steve Mead

Examiner

YVONNE M. HORTON

Art Unit

3635



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Sep 6, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-20 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## DETAILED ACTION

### *Claim Objections*

1. Claim 9 is objected to because of the following informalities: In claim 9, line 2, "a" should be --an--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #4,295,319 to GRIFFIN. In reference to claims 1 and 7, GRIFFIN discloses a floor panel including a base (26) having inner (24) and outer (70) panels adhesively bonded thereto; wherein, the inner panel (24) extends beyond the outer panel (70) to form a border (66). Regarding claims 2 and 3, the outer panel (70) inherently includes a decorative surface because it may be vinyl, tile or carpet; and the inner panel (24) includes another decorative surface, a metallic finish. In reference to claim 4, the outer (70) panels may be vinyl or tile which both are inherently high-pressure laminates. Further regarding claim 7, the base (26), inner (24) and outer (70) panels are rectangular in shape.
4. <sup>repeat all with changes indicated</sup> Claims 1-4, 7 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #4,574,555 to CLINE. In reference to claims 1 and 7, CLINE discloses a floor panel

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including a base (16) having inner (17) and outer (12) panels adhesively bonded thereto, column 2, lines 66-67; wherein, the inner panel (17) extends beyond the outer panel (12) to form a border (marked in red). Regarding claims 2 and 3, the outer panel (12) inherently includes a decorative surface because it may be vinyl, tile or carpet; and the inner panel (17) includes another decorative surface, a metallic finish. In reference to claim 4, the outer (12) panels may be vinyl or tile which both are inherently high-pressure laminates. Further regarding claim 7, the base (16), inner (17) and outer (12) panels are rectangular in shape. In reference to claim 12, the base (16) is stamped, column 2, lines 50-51.

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 5,6,8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #4,295,319 to GRIFFIN or US Patent #4,574,555 to CLINE in view of US Patent #4,625,491 to GIBSON. Both GRIFFIN and CLINE disclose the basic claimed floor panel as detailed; respectively, in the paragraphs #2 and 3, except for the inner panel being specifically a high pressure "laminate". GIBSON teaches that it is known in the art to provide a floor panel (1) with a panel (O) which is represented by layers (22,23) that is a high pressure laminate, column 3, lines 33-44. Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the panel of GRIFFIN or CLINE out of the high

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pressure laminate of GIBSON in order to form a floor that is lighter in weight, less expensive to manufacture and more resilient when traveled upon. Regarding claims 6 and 9, GIBSON also teaches the use of a high wear film (22). Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to form the panel of GRIFFIN or CLINE using the additional high wear film of GIBSON in order to create a flooring system that is durable and will wear less with higher levels of traffic. In reference to claim 8, GIBSON teaches forming an inner layer (27,28,29,31,32) dark, column 3, lines 26 and 58, and forming the outer layer (23) as decorative. It would have been obvious to one having ordinary skill in the art to form the floor panel of either GRIFFIN or CLINE with the inner/outer layers of GIBSON in order to create a flooring arrangement that is aesthetically different and very appealing.

7. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #4,625,491 to GIBSON. GIBSON discloses the method of producing a floor panel including the steps of cutting an outer panel, applying adhesive thereto, cutting an inner panel so as to form a border, applying adhesive thereto, securing the inner and outer panels together and to the base. GIBSON discloses the basic method except for explicitly stating the use of a jig. Although GIBSON does not disclose the use of a jig, jigs are old and very well known in the art for their use in flooring systems. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the inner and outer panels are held in a jig prior to and after being secured together; and that the assembly of the inner and outer panels to the base panels are performed by positioning in a jig. In reference to claim 14, the scarfing procedure

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used by GIBSON enable the size of the border to be adjusted. Regarding claim 20, the panels are pressed together. Regarding claims 15-18, although GIBSON does not explicitly detail the use of a jig, jigs are well known to include suction in order to stabilize the item being retained therein and rams for removal of the item. In reference to claim 19, GIBSON includes a resin based adhesive, column 3, lines 33-35.

***Response to Arguments***

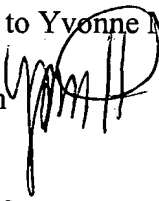
8. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Allowable Subject Matter***

9. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909.

Yvonne M. Horton  
Patent Examiner  
Art Unit 3635  
November 27, 2002



**United States Patent** [19]  
**Cline**

[11] **Patent Number:** 4,574,555  
[45] **Date of Patent:** Mar. 11, 1986

[54] **ACCESS FLOOR PANEL WITH EDGE TRIM**

[75] **Inventor:** Steven D. Cline, Baltimore, Md.

[73] **Assignee:** Donn Incorporated, Westlake, Ohio

[21] **Appl. No.:** 543,508

[22] **Filed:** Oct. 19, 1983

[51] **Int. Cl.<sup>4</sup>** ..... E04C 2/54

[52] **U.S. Cl.** ..... 52/785; 52/263;  
52/823

[58] **Field of Search** ..... 52/122.1, 126.6, 177,  
52/179, 180, 181, 263, 470, 471, 475, 785, 802,  
803, 804, 806, 821-824, 660, 661, 309.1, 309.13,  
393, 403, 481

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

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**FOREIGN PATENT DOCUMENTS**

1251504 10/1967 Fed. Rep. of Germany ..... 52/660

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McCoy, Granger & Tilberry

[57] **ABSTRACT**

An access floor panel construction employing peripheral trim channel elements joined together at the panel corners and fixed at their mid-lengths to the edges of a main body. As disclosed, the trim elements are of an organic thermoplastic material and are ultrasonically welded together at their ends and thermoplastically deformed into receiving portions of the main body edges. An assembly fixture holds the trim elements in position for final assembly in a manner which reduces the size of any gaps which might occur as a result of dimensional tolerances in the panel components.

**4 Claims, 8 Drawing Figures**

